IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1440 of 2007

CRIME NO. 17/2006 OF CHAKKARAKALLU POLICE STATION

.....

PETITIONER/ACCUSED NO.2

MAIMOONA, D/O.MUHAMMED,
NHARAPILAN HOUSE, OORAKAM, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, CHAKKARAKALLU
POLICE STATION-THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1440/2007

Dated this 9th day of March, 2007

O R D E R

The petitioner, who is the wife of one Sherif and who is the second accused in Crime No.17/2006 of Chakkarakallu Police Station for an offence punishable under Section 420 IPC read with Section 34 IPC, seeks anticipatory bail. The petitioner's husband is the first accused in the case. The allegation against the petitioner is that the defacto complainant was induced to part with Rs.30,000/- on a false ground for securing visa for employment.

2. Consequent on the non appearance of the petitioner in C.C.No.277/2006 on the file of the C.J.M, Thalassery, non bailable warrants of arrest are pending against the petitioner and she did not receive any summons in the above case.

3. Anticipatory bail cannot be granted to nullify the process issued by a Court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the C.J.M and files an

application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, after examining the explanation offered by the petitioner for her previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs